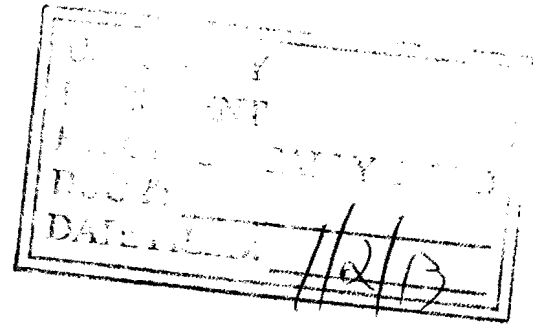


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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: ECF Case
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In re FENOFIBRATE PATENT LITIGATION : No. 1:11-md-02241 (JSR)
:
: **[Proposed] ORDER**
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WHEREAS the parties appeared before the Court telephonically on December 28, 2012; and

WHEREAS the Plaintiff, Lupin Atlantic Holdings, S.A. ("Lupin"), sought permission from the Court to file an Emergency Motion For Injunction Pending Appeal of the Court's December 28, 2012 summary judgment order (the "Motion"), and sought emergency relief in the form of an injunction preventing defendants Mylan Inc. and Mylan Pharmaceuticals Inc. (collectively "Mylan") from marketing any generic version of the drug Antara® pending the Court's ruling on the Motion; and

WHEREAS the Plaintiff Lupin consented to refrain from marketing its own generic version of the drug Antara® pending the Court's ruling on the Motion;

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. Lupin and Mylan are enjoined from selling any and all generic copies of Antara® until the close of business ("COB") on January 4, 2013;

2. The following briefing schedule will be applied to Lupin's Emergency Motion For Injunction Pending Appeal relating to the Court's December 28, 2012 Order granting summary judgment of non-infringement:

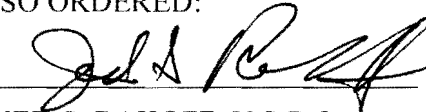
December 28, 2012 (COB): Lupin Atlantis to file opening brief

January 2, 2013 (COB): Mylan to file responsive brief

January 4, 2013 (COB): Court to issue order

Dated: New York, New York
December 28 2012

SO ORDERED:


JED S. RAKOFF, U.S.D.J.